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6 IN THE UNITED STATES DISTRICT COURT
7 FOR THE DISTRICT OF ARIZONA
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9 Alphonso DeCarlos Myles,) No. CV 08-1482-PHX-MHM
10 Petitioner,) **ORDER**
11 vs.)
12)
13 Warden Palosaari, et al.,)
14 Respondents.)
15 _____)

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17 Petitioner filed his Petition for Writ of Habeas Corpus pursuant to 28 U.S.C. § 2254
18 on August 11, 2008. On November 22, 2008, Respondents filed their response to Petitioner's
19 Petition for Writ of Habeas Corpus. Petitioner filed his reply on December 22, 2008. On
20 January 26, 2009, the Magistrate Judge issued his Report and Recommendation
21 recommending that the petition be dismissed.

22 In his Report and Recommendation the Magistrate Judge advised the parties that they
23 had 10 days from the date of service of a copy of the Report and Recommendation within
24 which to file specific written objections with the Court. The time to file such objections has
25 long since expired and no objections to the Report and Recommendation have been filed.
26 Failure to timely file objections to any factual or legal determination of the Magistrate Judge

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1 may be considered a waiver of a party's right to *de novo* consideration of the issues. *See*
2 *United States v. Reyna-Tapia* 328 F.3d 1114, 1121 (9th Cir. 2003) (*en banc*).

3 After a complete and independent review of the issues presented, the Court finds itself
4 in agreement with the Report and Recommendation of the Magistrate Judge.

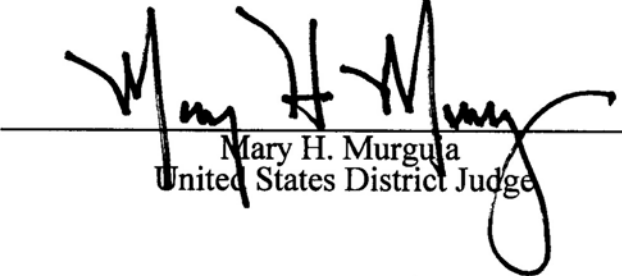
5 IT IS ORDERED adopting the Report and Recommendation of the Magistrate Judge
6 as the order of this Court [doc. 11].

7 IT IS FURTHER ORDERED that the Petition for Writ of Habeas Corpus is dismissed
8 with prejudice [doc. 1].

9 IT IS FURTHER ORDERED directing the Clerk to enter judgment accordingly.

10 DATED this 17th day of March, 2009.

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Mary H. Murgula
United States District Judge